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REMARKS

Examiner's comments in the Office Action marked "non-final" and dated May 3, 2006 have been read and carefully considered by Applicant. In view of such comments, Applicant has amended some of the claims as set forth herein. In particular, independent claims 1, 10, and 18 and also dependent claims 2, 3, 5-9, 11, 12, 14-17, 19, and 20 have all been amended. Original claims 4 and 13 remain cancelled. Thus, claims 1-3, 5-12, and 14-20 remain pending in Applicant's present Application for Examiner's consideration. It is Applicant's good faith belief that the pending claims, as presented herein, are both novel and non-obvious and properly comply with all applicable statutory requirements. Therefore, Applicant respectfully avers that the pending claims now place the present Application in a condition for allowance and notice thereof is respectfully requested.

In addition to amending some of the claims, Applicant has also amended some of the text within the specification. In particular, some of the text within paragraph 0012 of the specification has been amended so as to correct typographical errors and improve the overall clarity of the paragraph. In so amending paragraph 0012 of the specification, Applicant respectfully maintains that no new matter has been added to the specification of Applicant's Application.

35 U.S.C. § 101

In the Office Action, independent claims 1 and 10 as well as dependent claims 2, 3, 5-9, 11, 12, and 14-17 stand rejected by Examiner under 35 U.S.C. § 101 as each being directed to a method involving non-statutory subject matter that merely "manipulates data" or "solves a mathematical problem" without producing a "useful, concrete, and tangible result." In response, Applicant has herein amended all such claims 1-3, 5-12, and 14-17. In particular, Applicant has amended independent claims 1 and 10 to indicate that at least some of the method steps set forth therein are executed by a computer "controller" so as to produce a visible and useful result on a display

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"monitor." In view of such amendments, Applicant now respectfully traverses the 35 U.S.C. § 101 rejections set forth in the Office Action.

35 U.S.C. § 103(a)

Also in the Office Action, independent claims 1, 10, and 18 as well as dependent claims 2, 5, 7, 9, 11, 14, 16, 19, and 20 stand rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over United States Patent Number 5,974,113, which was issued to Antonius J.C. Bruijns *et al* on October 26, 1999 (hereinafter "Bruijns"), in view of United States Patent Number 6,132,377, which was issued to Mirsaid S. Bolorforosh *et al* on October 17, 2000 ("Bolorforosh"). In addition, dependent claims 3, 6, 8, 12, 15, and 17 stand rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Bruijns in view of Bolorforosh and in further view of United States Patent Number 6,080,107, which was issued to McKee D. Poland on June 27, 2000 ("Poland"). In response, Applicant has herein amended claims 1-3, 5-12, and 14-20. In view of such, Applicant now respectfully traverses the 35 U.S.C. § 103(a) rejections set forth in the Office Action.

In particular, to overcome the 35 U.S.C. § 103(a) obviousness rejections that are based on Bruijns in view of Bolorforosh, Applicant has herein amended the wording of independent claims 1, 10, and 18 to specify, per Examiner's helpful suggestion, that the "numerator" of the controller-generated "image ratio" generally represents a reference first image and that the "denominator" of the image ratio generally represents a second image that is being adjustably matched to the first image. Applicant respectfully maintains that Bruijns and Bolorforosh, either alone individually or in combination with each other, neither specifically teach nor suggest such an "image ratio" as now claimed by Applicant. Therefore, in making such amendments, Applicant respectfully avers that independent claims 1, 10, and 18 are not rendered obvious by Bruijns and Bolorforosh. Furthermore, since claims 2, 5, 7, 9, 11, 14, 16, 19, and 20 are dependent on independent claims 1, 10, and 18, Applicant also respectfully avers that claims 2, 5, 7, 9, 11, 14, 16, 19, and 20 are not rendered obvious by Bruijns and Bolorforosh as well.

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Lastly, upon close review of Poland, Applicant further maintains that Poland, either alone individually or in combination with Bruijns and/or Bolorforosh, neither specifically teaches nor suggests an "image ratio" as now claimed by Applicant in independent claims 1, 10, and 18. In view of such, Applicant respectfully avers that independent claims 1, 10, and 18 are not rendered obvious by Bruijns, Bolorforosh, and Poland. Furthermore, since claims 3, 6, 8, 12, 15, and 17 are dependent on independent claims 1 and 10, Applicant also respectfully avers that claims 3, 6, 8, 12, 15, and 17 are not rendered obvious by Bruijns, Bolorforosh, and Poland as well.

CONCLUSION

In view of the claims as amended hereinabove and also the foregoing remarks, Applicant respectfully requests that Examiner's rejections be withdrawn and that a Notice of Allowance be issued for all independent claims 1, 10, and 18 as well as all claims 2, 3, 5-9, 11, 12, 14-17, 19, and 20 dependent thereon.

Should Examiner have any questions with respect to any matter now of record, Examiner is invited to contact Applicant's undersigned attorney at (248) 223-9500.

Respectfully submitted,

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